

820 KAR 1:033. Electronic pulltab system, electronic pulltab device, and electronic pulltab construction.

RELATES TO: KRS 238.505(5), (27), (28), 238.545(1), (2)

STATUTORY AUTHORITY: KRS 238.515(2), (4), (9), 238.530(5), 238.545(1), (2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 238.515(2) and (9) require the Department of Charitable Gaming to establish reasonable standards for the conduct of charitable gaming. KRS 238.505(27), (28) and KRS 238.545(2) require the department to establish standards for electronic pulltab device and electronic pulltab construction, distribution, and rules of play. KRS 238.530(5) requires manufacturers and distributors of charitable gaming supplies and equipment to maintain records as required by the department. This administrative regulation establishes standards for the construction and distribution of electronic pulltab devices and electronic pulltabs.

Section 1. General Requirements. (1) A manufacturer shall affix to each electronic pulltab device an identification badge that shall include the following information:

- (a) Manufacturer name;
- (b) A unique serial number;
- (c) The electronic pulltab device model number, if applicable; and
- (d) The date of manufacture, if applicable.

(2) An electronic pulltab system's central computer system shall be dedicated to electronic accounting, reporting, and the presentation, randomization, and transmission of electronic pulltabs to electronic pulltab devices. It shall also be capable of generating the data necessary to provide reports required by regulation or otherwise specified by the department.

(3) A player shall purchase or otherwise obtain access to an electronic pulltab device, and load money to a player account for purchase of electronic pulltabs during the current gaming occasion, only from a point of sale station. The point of sale station may be stationary, mobile, or self-service.

(4) A player shall only cash-out or redeem credits from a point of sale station.

(5) All equipment used to facilitate the distribution, play, or redemption of electronic pulltabs shall be physically located within the boundaries of the Commonwealth of Kentucky. Electronic pulltab devices, site system if used, point of sale stations, and all secondary components shall be located on the premises where the gaming occasion is being held.

(6) An electronic pulltab device shall not be capable of being used for the purpose of engaging in any game prohibited by the department.

(7) A licensed manufacturer of charitable gaming supplies and equipment shall sell, lease, or otherwise provide in the Kentucky market only those electronic pulltab systems and electronic pulltabs that conform to the requirements of 820 KAR 1:032 and this administrative regulation.

(8) A licensed distributor of charitable gaming supplies and equipment shall distribute in Kentucky only those electronic pulltab systems and electronic pulltabs that conform to the requirements of 820 KAR 1:032 and this administrative regulation.

(9) A licensed charitable organization shall provide to the public only those electronic pulltab systems and electronic pulltabs that conform to the requirements of 820 KAR 1:032 and this administrative regulation.

Section 2. Testing and Approval of Electronic Pulltab Systems. (1) An electronic pulltab system shall not be sold, leased, or otherwise furnished to any person for use in the conduct of charitable gaming until an identical system containing identical software has been:

- (a) Tested and certified by an independent testing facility accepted by the department; and
- (b) Approved by the department.

(2) The cost of testing and certification shall be the responsibility of the manufacturer.

(3) The independent testing facility shall certify in writing that the electronic pulltab system and associated hardware and software conform, at a minimum, to the requirements and restrictions set forth in KRS 238.505(27), KRS 238.545(2), 820 KAR 1:001, 820 KAR 1:032, 820 KAR 1:036, and this administrative regulation.

(4)(a) The department, in consultation with the independent testing facility, shall determine if the electronic pulltab system and associated hardware and software conform to the requirements and restrictions contained in KRS 238.505(27), KRS 238.545(2), 820 KAR 1:001, 820 KAR 1:032, 820 KAR 1:036, and this administrative regulation and shall notify the manufacturer of its decision in writing.

(b) Once the department has received the test results from the independent testing facility, the department may request a demonstration of the product within thirty (30) days.

(c) The department shall either approve or disapprove the electronic pulltab system and software. The department shall inform the manufacturer of its decision no later than sixty (60) days after the department receives the test results from the independent testing facility. Approval shall be granted in accordance with paragraph (a) of this subsection.

(5) Any modifications to an electronic pulltab system or its software, except as provided in subsection (6) of this section, shall be tested and certified by an independent testing facility, demonstrated to the department by the manufacturer upon request, and approved by the department in the same manner as a new system or new software. Testing and certification shall be at the manufacturer's expense.

(6) A manufacturer may conduct routine maintenance activities and replace secondary components of an electronic pulltab system without additional testing and certification as long as this activity does not affect the operation of any proprietary software, the manner in which an electronic pulltab game is played, the integrity of any critical or controlled software, or the outcome of an electronic pulltab game. A record of all activities shall be maintained and provided to the department within ten (10) days of the maintenance or replacement.

(7)(a) If a manufacturer, distributor, or charitable organization detects or discovers any defect, malfunction, or problem with an electronic pulltab system, electronic pulltab device, or electronic pulltab game that affects the security or the integrity of the electronic pulltab system, electronic pulltab device, or electronic pulltab game, the manufacturer, distributor, or charitable organization shall immediately notify the department. The charitable organization shall also immediately notify the distributor of the defect, malfunction, or problem. The distributor shall immediately notify the manufacturer of the defect, malfunction, or problem.

(b) If the department detects, discovers, or is notified of any problem with an electronic pulltab system, electronic pulltab device, or electronic pulltab game that affects the security or the integrity of the electronic pulltab system, electronic pulltab device, or electronic pulltab game, the department shall direct the manufacturer, distributor, and charitable organization to immediately cease the sale, lease, or use of the affected electronic pulltab system, electronic pulltab device, or electronic pulltab game until the problem can be assessed by the department in consultation with the manufacturer or distributor.

(c) If the department, in consultation with the manufacturer or distributor, determines that a defect actually exists, and the defect affects game security or otherwise threatens public confidence in the game, the department shall require the manufacturer to issue a total recall of all affected electronic pulltab systems, electronic pulltab devices, or electronic pulltab games or affected game sets or subsets, if necessary.

(d) In choosing and directing a particular recall in accordance with paragraph (c) of this sub-

section, the department shall be guided in each circumstance by any combination of the following factors:

1. The nature of the defect;
2. Whether the defect affected game security;
3. Whether the defect affected game playability;
4. Whether the defect was limited to a specific number of deals of a particular form number;
5. Whether the defect was easily detectable by a charitable organization;
6. Whether the defect was easily detectable by members of the general public;
7. Whether the defect threatens public confidence in the game; or
8. Whether the defect is capable of being used to adversely affect the fair play of the game.

(e) The manufacturer or distributor may correct the defect, if possible, without issuing a total recall if the affected electronic pulltab devices and electronic pulltabs are not offered for sale, lease, or use if and until the department allows. The manufacturer or distributor shall make all corrections within a reasonable time, not to exceed thirty (30) days, and the manufacturer or distributor shall demonstrate the correction to the department. If the department believes the defect has been corrected and that the defect no longer affects game security or otherwise threatens public confidence in the game, the department may issue written notification that the affected electronic pulltab system, devices, or pulltab game may be reoffered for sale, lease, or use.

(f) If a recall of an electronic pulltab system or electronic pulltab device is necessary, the department, in consultation with the manufacturer, shall determine a specific date for the recall of any affected electronic pulltab system or electronic pulltab device to be completed and whether the manufacturer is required to reimburse the organization or distributor. The recall of any electronic pulltab game shall occur no later than twenty-four (24) hours after the manufacturer is notified of the defect.

(8)(a) A distributor or charitable organization shall not add or remove any software programs to an approved electronic pulltab system without the written permission of the manufacturer and the department.

(b) If the department detects or discovers an electronic pulltab system at a playing location that is using components or software that were required to have been approved by the manufacturer and the department, but have not been approved, the electronic pulltab system shall be determined to have an unauthorized modification and use of the system shall cease immediately.

(9) All games including game themes, sounds, and music shall be approved by the department prior to being available for play on an electronic pulltab device in the Commonwealth of Kentucky.

Section 3. Electronic Pulltab System Requirements. (1) Any element of the central computer system that holds or maintains game data, other than an electronic pulltab device or point of sale station when in use, shall be kept in a locked and secure enclosure with limited access to designated personnel. The system shall provide a secure physical and electronic means for securing the games and game data against alteration, tampering, or unauthorized access.

(2) The central computer system shall include a central server located in the Commonwealth of Kentucky that is accessible to the department so the department has the ability to remotely verify the operation, compliance, and internal accounting systems of the electronic pulltab system at any time. The department shall have real time and complete read-only access to all data for all systems and devices.

(a) The manufacturer shall provide to the department all current protocols, passwords, and any other required information needed to access the electronic pulltab system prior to the op-

eration of the system within Kentucky, and at all times while the system remains operational within Kentucky.

(b) The department shall be notified of any changes in the protocols, passwords, and any other required information needed to access the system at least three (3) days prior to the change.

(c) Any reports maintained or generated by the electronic pulltab system shall be capable of being downloaded or otherwise accessed via the internet by the department.

(3) A site system, if used, shall:

(a) Be located at the gaming premises;

(b) Be operated by the charitable organization;

(c) Interface with, connect with, control, or define the operational parameters of the electronic pulltab devices;

(d) Report and transmit the game results as prescribed by the department;

(e) Provide security and access levels sufficient so that the internal control objectives are met as prescribed by the department; and

(f) Contain a point of sale station.

(4) The site system, if used, may include the following components:

(a) Required printers;

(b) Proprietary executable software;

(c) Report generation software; and

(d) An accounting system or database.

(5) The electronic pulltab system shall provide password protection for each organization.

(6) An electronic pulltab system shall provide a means for terminating a game set if information about electronic pulltabs in an open game set has been accessed, or if the department determines there has been a breach of game security. Traceability of unauthorized access including time and date, users involved, and any other relevant information shall be available.

(7) An electronic pulltab system shall not permit the alteration of any accounting or significant event information. Significant events shall include power resets or failures, communication loss between an electronic pulltab device and the electronic pulltab system, any award in excess of the single win limit for an electronic pulltab, or corruption of the electronic pulltab system memory or storage. If financial data is changed, an automated audit log shall be capable of being produced to document the following:

(a) Data element altered;

(b) Data element value prior to alteration;

(c) Data element value after alteration; and

(d) Time and date of alteration.

(8) An electronic pulltab system shall provide password security or other secure means of ensuring data integrity and enforcing user permissions for all system components, including the following:

(a) All programs and data files shall only be accessible via the entry of a password that shall be known only to authorized personnel;

(b) The electronic pulltab system shall have multiple security access levels to control and restrict different privilege levels;

(c) The electronic pulltab system access accounts shall be unique when assigned to the authorized personnel;

(d) The storage of passwords and PINs shall be in an encrypted, nonreversible form; and

(e) A program or report shall be available that lists all authorized users on the electronic pulltab system including their privilege level.

(9) All components of an electronic pulltab system that allow access to users, other than

end-users for game play, shall have a password sign-on comprised of a personal identification code and a personal password.

(a) The personal identification code shall have a length of at least six (6) ASCII characters.

(b) The personal password shall have a minimum length of six (6) alphanumeric characters, which shall include at least one (1) non-alphabetic character.

(10) Electronic pulltab system software components shall be verifiable by a secure means at the system level. An electronic pulltab system shall have the ability to allow for an independent integrity check of the components from an outside source and is required for all control programs that may affect the integrity of the electronic pulltab system. This shall be accomplished by being authenticated by a third-party device, which may be embedded within the electronic pulltab system software or having an interface or procedure for a third-party application to authenticate the component. This integrity check shall provide a means for field verification of the electronic pulltab system components.

(11) The electronic pulltab system shall have a medium for securely storing electronic pulltab game sets which shall be mirrored in real time by a backup medium. The electronic pulltab system shall also provide a means for storing duplicates of the game sets already transmitted to the electronic pulltab devices so as to reflect, on an ongoing basis, changes in the transmitted game sets as they occur.

(a) All storage shall be through an error checking, nonvolatile physical medium, or an equivalent architectural implementation, so that if the primary storage medium fails, the functions of the electronic pulltab system and the process of auditing those functions shall continue with no critical data loss.

(b) The database shall be stored on redundant media so that a single failure of any portion of the system shall not result in the loss or corruption of data.

(c) If there is a catastrophic failure when the electronic pulltab system cannot be restarted in any other way, it shall be possible to reload the electronic pulltab system from the last viable backup point and fully recover the contents of that backup, to consist of at least the following information:

1. All significant events;
2. All accounting information; and
3. Auditing information, including all open game sets and the summary of completed game sets.

(12) Connections between all components of the electronic pulltab system shall only be through use of secure communication protocols which are designed to prevent unauthorized access or tampering, employing Data Encryption Standards (DES) or equivalent encryption with changeable seeds or algorithms.

(13) An electronic pulltab system's central computer system may be used to record the data used to verify game play and to configure and perform security checks on electronic pulltab devices, if the functions do not affect the security, integrity, or outcome of any game and meet the requirements set forth in this administrative regulation regarding program storage devices.

(14) An electronic pulltab system shall not display to the player, the licensed organization, or the licensed distributor the number of electronic pulltabs that remain in a game set, or the number of winners or losers that have been drawn or still remain in the game set, while the game set is still open for play. Once a game set has been closed, it shall not be able to be opened for play.

(15) The electronic pulltab system shall render unplayable the electronic pulltabs of a charitable organization once the organization logs out of the system at the end of the organization's gaming occasion and until the organization logs back onto the system at the start of the organization's next scheduled gaming occasion. If multiple organizations use the same electronic

pulltab devices and electronic pulltab system, one (1) organization's electronic pulltab games and data shall not be accessible or played by another organization.

(16) An electronic pulltab system may include player tracking software. Player tracking records shall at all times be the property of the charitable organization and neither the manufacturer nor the distributor shall utilize or make available to any person, other than the department or as otherwise authorized by law, the information contained within the player tracking software without the express permission of the charitable organization.

Section 4. Point of Sale Requirements. (1) An electronic pulltab system shall include a point of sale station that is used to facilitate the sale of an electronic pulltab device, to load money to a player account for purchase of electronic pulltabs during the current gaming occasion, and to cash-out or redeem credits from the play of electronic pulltabs.

(a) The point of sale station may be stationary, mobile, or self-service.

(b) The point of sale station shall not be designed or manufactured to resemble an electronic gaming device that utilizes a video display monitor, such as a video lottery terminal, video slot machine, video poker machine, or any similar video gaming device.

(c) The point of sale station shall not have vertical or horizontal spinning reels, a pull handle, sounds or music intended to entice a player to play, flashing lights, tower light, top box, enhanced animation, artwork, or any other attribute or representation that mimics a video lottery terminal, video slot machine, video poker machine, or any similar video gaming device.

(d) The point of sale station shall not function simultaneously as an electronic pulltab device.

(2) The point of sale station shall be capable of printing a receipt, which the organization shall provide to the player, that details each transaction. The receipt shall contain, at a minimum, the following information:

(a) The date and time of the transaction;

(b) A unique non-resettable transaction number that is printed in continuous, consecutive order;

(c) The dollar amount of the transaction, including the cost, if any, of the electronic pulltab device and the amount of money loaded to a player account that will be available for the purchase of electronic pulltabs during that gaming occasion;

(d) A unique entry code or account number that will be used to activate an electronic pulltab device and make available to the player the money loaded to the player account at the point of sale for the purchase of electronic pulltabs during that gaming occasion;

(e) The name of the charitable organization and license number; and

(f) The point of sale identification number or name.

(3) If the receipt printer malfunctions or printed receipts are not legible, manual receipts shall be issued that contain the same information required by subsection (2) of this section.

(4) The point of sale station shall be capable of displaying, at minimum, the following for each gaming occasion:

(a) The sales transaction history, including:

1. The organization name and license number;

2. Date and time of each transaction;

3. Dollar value of each transaction;

4. Quantity of electronic pulltab devices sold;

5. All transaction numbers; and

6. The point of sale identification number or name; and

(b) A pay-out history detailing all pay-outs, including:

1. The organization name and license number;

2. Date and time of each pay-out;

3. Dollar value of each pay-out; and
4. Point of sale identification number or name.

(5) A point of sale station shall not display information relating to prizes already paid out in a particular game set, the number of electronic pulltabs that remain in a game set, or the number of winners or losers that have been drawn or still remain in the game set, while the game set is still open for play.

Section 5. Electronic Pulltab Device Requirements. (1) An electronic pulltab device shall be designed as a handheld or fixed base personal computing device that:

- (a) Is used to play one (1) or more electronic pulltab games;
- (b) Requires coded entry to activate a device for a player to purchase and play electronic pulltabs, but does not allow the use of coin, currency, or tokens to be inserted to purchase and play electronic pulltabs;
- (c) Maintains and displays information pertaining to accumulation of credits that may be applied to games in play or redeemed upon termination of play;
- (d) Has no vertical or horizontal spinning reels, pull handle, sounds or music solely intended to entice a player to play, flashing lights, tower light, top box, coin tray, ticket acceptor, hopper, coin acceptor, cabinet, artwork, or any other attribute or representation that mimics a video slot machine;
- (e) Shall not be capable of displaying any enticing animation while in an idle state. An electronic pulltab device may use simple display elements or screen savers to prevent monitor damage;
- (f) Has no additional function as a gambling device other than as an electronic pulltab device or as an approved card-minding device, if possible; and
- (g) Is not a pulltab dispenser as described in 820 KAR 1:034.

(2) An electronic pulltab device shall not have hardware or software that determines the outcome of any electronic pulltab, produces its own outcome, or affects the order of electronic pulltabs as dispensed from the electronic pulltab system's central computer system. The game outcome shall be determined by the electronic pulltab system's central computer system.

(3) An electronic pulltab device may utilize a touch screen. The touch screen shall meet the following requirements:

- (a) It shall be accurate once calibrated;
- (b) It shall be able to be recalibrated; and
- (c) It shall have no hidden or undocumented buttons or touchpoints anywhere on the touch screen.

(4) An electronic pulltab device shall not be capable of displaying the number of electronic pulltabs that remain in a game set or the number of winners or losers that have been drawn or still remain in the game set, while the game set is still open for play.

(5) A fixed base electronic pulltab device shall not be built into a cabinet or in any way be designed or manufactured to resemble any electronic gaming device that utilizes a video display monitor, such as a video lottery terminal, video slot machine, video poker machine, or any similar video gaming device.

Section 6. Electronic Pulltab Requirements. (1) An electronic pulltab system shall dispense, upon player request and payment of consideration, an electronic pulltab. A player shall win if the player's electronic pulltab contains a combination of symbols or numbers that was designated in advance of the game as a winning combination. There may be multiple winning combinations in each game. All games shall be played without replacement.

- (2) An electronic pulltab game shall:

- (a) Be a version of a paper pulltab game that is played on an electronic pulltab device;
 - (b) Have a predetermined, finite number of winning and losing tickets, not to exceed 25,000 tickets per game set;
 - (c) Charge the same price for each ticket in a game set;
 - (d) Require that a player press a button or perform some other function to purchase or open an electronic pulltab ticket;
 - (e) Comply with KRS Chapter 238, 820 KAR 1:001, 820 KAR 1:032, 820 KAR 1:036, and this administrative regulation;
 - (f) Comply with prize limits set forth in KRS 238.545(2);
 - (g) Have a unique serial number for each game set that shall not be regenerated. Each pulltab in a game set shall bear the same serial number and only one (1) serial number shall be used in a game set. After randomization, game sets may be broken into subsets of equal size. If game subsets are used, they shall each be assigned a unique serial number and be traceable to a parent game set. If a seal card is used with a pulltab game set, the seal card shall bear the same serial number as each pulltab; and
 - (h) Have an electronic flare or seal card, viewable upon player request, that displays the name of the game, manufacturer's name or logo, manufacturer's form number, the game serial number, the predetermined finite number of tickets in the game, and the prize structure, and the cost per play.
- (3) An electronic pulltab game shall not contain vertical or horizontal spinning reels or other representations that mimic a video slot machine.
- (4) An electronic pulltab game may have visual or audio enhancements to provide information about the game being played if the component does not affect the outcome of a game and if any game theme, visual enhancement, sound, or music is approved by the department prior to being available for play on an electronic pulltab device.
- (5) The available games, flare, and rules of play shall be displayed on the electronic pulltab device's video screen upon player request.
- (6) Any number of game themes may be selectable for play on any given electronic pulltab device. Only one (1) of the game themes shall be playable at a time.
- (7) The results of the electronic pulltab shall be shown to the player using a video display. Results shall not be shown by using rolling, flashing, or spinning animations, reels, or other representations that mimic a video slot machine.
- (8) Any sound or music solely intended to entice a player to play shall be prohibited. Any sound or music emitted by an electronic pulltab device shall not be played at a level sufficient to disturb other players or patrons.
- (9) An electronic pulltab device shall have one (1) or more buttons, electromechanical or touch screen, to facilitate the following functions:
- (a) Viewing of the game "help" screens;
 - (b) Viewing of the game rules including the flare or seal card;
 - (c) Initiating game play;
 - (d) Cash-out or logout; and
 - (e) Purchasing or revealing the pulltab.
- (10) Each electronic pulltab shall be initially displayed so that the numbers, letters, or symbols on the pulltab are concealed. Each electronic pulltab game shall require the player to press a "play", "purchase", "open", or equivalent button to initiate the purchase of an electronic pulltab. A player may have the option of opening each individual line, row, or column of each electronic pulltab or may choose to "open all".
- (11) Following play of an electronic pulltab, the result shall be clearly shown on the video display along with any prizes that may have been awarded. Prizes shall be added as a credit

to the player's account.

(12) An available player account balance shall be collected by the player by pressing the "cash-out" button or "logoff" button on the electronic pulltab device and taking the device, the receipt, or, if allowed, a player account card to the point of sale station.

(13) Game themes shall not contain obscene or offensive graphics, animations, or references.

(14) An electronic pulltab game shall not be capable of displaying the number of electronic pulltabs that remain in the game set, or the number of winners or losers that have been drawn or still remain in the game set, while the game set is still open for play.

Section 7. Randomization of Electronic Pulltabs. (1) An electronic pulltab system shall utilize randomizing procedures in the creation of game sets for electronic pulltabs, or utilize externally generated randomized game sets. After randomization, game sets may be broken into game subsets of equal size which shall be assigned a unique serial number.

(2) Winning electronic pulltabs shall be distributed randomly among all other pulltabs in a game set to eliminate any pattern between game sets, or portions of game sets.

(3) Any random number generation, shuffling, or randomization of outcomes used in connection with an electronic pulltab system shall be by use of a random number generation application that has successfully passed standard tests for randomness and unpredictability.

Section 8. Flares and Seal Cards for Electronic Pulltabs. (1) Every game set shall include a flare or a seal card. The manufacturer shall include on the electronic flare or seal card the following information:

- (a) The name of the game;
 - (b) The manufacturer's name or logo;
 - (c) The manufacturer's form number;
 - (d) The game set serial number;
 - (e) The predetermined finite number of tickets within the game set;
 - (f) The prize structure, including a description of the number of winning pulltabs by denomination, and amounts, if any, dedicated to the prize pool in a seal card game with a cumulative prize, or a carryover or progressive prize; and
 - (g) The cost per play of an electronic pulltab within the game set.
- (2) Every game set of electronic pulltabs shall contain electronic rules of play.

Section 9. Electronic Accounting and Reporting. (1) One (1) or more electronic internal accounting systems shall be required to perform recordkeeping, reporting, and other functions in support of an electronic pulltab system. The electronic internal accounting system shall not interfere with the outcome of any gaming function.

(2) The electronic internal accounting system shall be capable of recording and retaining for a period of not less than three (3) years the following information:

- (a) The name and license number of the organization utilizing an electronic pulltab system; and
- (b) For each gaming occasion:
 - 1. The date and time of each log-on and log-off of an organization;
 - 2. The total amount of all monetary transactions regarding electronic pulltabs and electronic pulltab devices at each gaming occasion;
 - 3. The total number of electronic pulltab devices sold or provided at each gaming occasion;
 - 4. The serial number of each hand-held electronic pulltab device sold or provided;
 - 5. The terminal number for each fixed base electronic pulltab device sold or provided;

6. The name, serial number, price, and predetermined finite number of tickets within each game set available for play at each gaming occasion;

7. The total number of electronic pulltabs played from each game set at each gaming occasion;

8. All prize payouts for each game set per gaming occasion; and

9. All wagers and other information necessary to fully reconstruct a game outcome.

(3) The information required by subsection (2) of this section shall be secure and shall not be accessible for alteration. Information pertaining to the number of electronic pulltabs that remain in an open game set, or the number of winners or losers that have been drawn or still remain in an open game set shall not be accessible to the licensed organization or the licensed distributor.

(4) The electronic pulltab system's central computer system shall maintain a printable, permanent record of all transactions involving each device and each closed electronic pulltab game played on each device.

(5) An electronic pulltab system shall have report generation software with the capability to print all information required to be maintained on the system's active or archived databases, and pursuant to the restrictions related to information available on open game sets.

(6) All data required to be available or reported by this administrative regulation shall be retained for a period of not less than three (3) years.

Section 10. Manufacturer Requirements. (1) Each manufacturer selling, leasing, or otherwise furnishing electronic pulltab devices, site systems, point of sale stations, secondary components, and electronic pulltabs shall maintain a log or other record showing the following:

(a) The name, address, and license number of the distributor to whom the electronic pulltab devices, site systems, point of sale stations, secondary components, or electronic pulltabs were sold, leased, or otherwise furnished;

(b) The date of the transaction with the distributor;

(c) The model, version, and serial number of each hand-held electronic pulltab device, if applicable;

(d) The account number or terminal number of each fixed base electronic pulltab device, if applicable;

(e) The quantity of each type of electronic pulltab device;

(f) The model and version number of the system software;

(g) The name, form number, and serial number of each game set of electronic pulltabs; and

(h) The quantity of game sets sold, the cost per game set, the selling price per ticket, the cash take-in per game set, and the cash payout per game set.

(2) A manufacturer selling, leasing, or otherwise providing electronic pulltab devices, site systems, point of sale stations, or secondary components to a distributor shall provide the distributor with an invoice or other documentation that contains, at a minimum, the following information:

(a) The manufacturer name, address, and license number;

(b) The distributor name, address, and license number;

(c) The address to which the shipment was delivered;

(d) The date of sale or credit and the time period covered by the invoice;

(e) The conditions of the sale or credit;

(f) A description of the type and the quantity of electronic pulltab devices, site systems, point of sale stations, and secondary components provided;

(g) The total invoice amount;

(h) The name of the person who ordered the supplies;

- (i) The name of the person making the delivery;
- (j) The date of delivery or date the item was picked up for sale or credit;
- (k) The place or manner of delivery; and
- (l) The name and signature of the person taking delivery, if any.

(3) A manufacturer providing electronic pulltabs to a distributor for distribution to a licensed charitable organization shall provide the distributor with an invoice or other documentation that contains, at a minimum, the following information:

- (a) The manufacturer name, address, and license number;
- (b) The distributor name, address, and license number;
- (c) The organization name, address, and license number;
- (d) The date of sale or credit and the time period covered by the invoice;
- (e) The conditions of the sale or credit;
- (f) The quantity of electronic pulltabs sold including the number of game sets, the name of each game set, the number of tickets per game set, and the serial number and form number of the game set; and
- (g) The total invoice amount.

(4) The manufacturer shall maintain physical or electronic copies of the documentation required by this section for a period of not less than three (3) years.

(5) A manufacturer shall supply any available financial reports to distributors and organizations, upon request, that provide detailed pulltab sales activity for the requesting distributor or organization for a selected date range.

Section 11. Distributor Requirements. (1) Before initial use by a charitable organization, the distributor shall ascertain that the particular electronic pulltab system, electronic pulltab device, and associated software version are approved by the department for use in Kentucky.

(2) A distributor shall not display, use, or otherwise furnish an electronic pulltab device, site system, or secondary component which has in any manner been marked, defaced, or tampered with, or which is otherwise intended to deceive the public or affect a person's chances of winning.

(3) Before the complete removal of any electronic pulltab system, the distributor shall supply a copy of the data files to each charitable organization which used the electronic pulltab system and to the department.

(4) Each distributor selling, leasing, or otherwise furnishing electronic pulltab devices, site systems, point of sale stations, secondary components, or electronic pulltabs shall maintain a log or other record showing the following information, if applicable:

(a) The name of the location, physical address, telephone number, and facility license number, if applicable, where the electronic pulltab devices, site systems, point of sale stations, and secondary components are located for play;

(b) A description, including the quantity, of all electronic pulltab devices, site systems, point of sale stations, and secondary components at each playing location;

(c) The date any electronic pulltab device, site system, point of sale station, or secondary component was installed in or removed from a playing location;

(d) The model, version, and serial numbers or terminal numbers of the electronic pulltab devices, site systems, point of sale stations, and secondary components, if applicable;

(e) The name and license number of the charitable organization or distributor to whom the electronic pulltab devices, site systems, point of sale stations, or secondary components were sold, leased, or otherwise furnished;

(f) The name and license number of the manufacturer or distributor from whom the electronic pulltab devices, site systems, point of sale stations, and secondary components were pur-

chased, leased, or otherwise obtained;

(g) Each contract, lease, or purchase agreement between a distributor and the charitable organization or other distributor to which the electronic pulltab devices, site systems, point of sale stations, or secondary components are furnished; and

(h) The total dollar amount of electronic pulltab device, site system, point of sale station, and secondary component sales or lease transactions regarding each charitable organization to which the equipment was furnished during each calendar quarter.

(5) A distributor selling, leasing, or otherwise providing electronic pulltab devices, site systems, point of sale stations, or secondary components to a licensed charitable organization shall provide the organization with an invoice or other documentation that contains, at a minimum, the following information:

(a) The manufacturer name, address, and license number;

(b) The distributor name, address, and license number;

(c) The organization name, address, and license number;

(d) The date of sale or credit and the time period covered by the invoice;

(e) The conditions of the sale or credit;

(f) A description of the type and the quantity of electronic pulltab devices, site systems, point of sale stations, and secondary components provided;

(g) The total invoice amount;

(h) The name of the person who ordered the supplies;

(i) The name of the person making the delivery;

(j) The date of delivery or date the item was picked up for sale or credit;

(k) The place or manner of delivery; and

(l) The name and signature of the person taking delivery, if any.

(6) A distributor providing electronic pulltabs to a licensed charitable organization shall provide the organization with an invoice or other documentation that contains, at a minimum, the following information:

(a) The manufacturer name, address, and license number;

(b) The distributor name, address, and license number;

(c) The organization name, address, and license number;

(d) The date of sale or credit and the time period covered by the invoice;

(e) The conditions of the sale or credit;

(f) The quantity of electronic pulltabs sold including the number of game sets, the name of each game set, the number of tickets per game set, and the serial number and form number of the game set; and

(g) The total invoice amount.

(7) An invoice not challenged within seven (7) days of delivery shall be deemed accurate. Any challenge to an invoice shall be made in writing to the distributor and a copy shall be sent to the department.

(8) The distributor shall maintain physical or electronic copies of the documentation required by this section for a period of not less than three (3) years.

(9) A distributor shall deliver electronic pulltab devices, site systems, point of sale stations, and secondary components to an agreed secure location or to an identified person.

Section 12. Charitable Organization Requirements. (1) Before initial use, the organization shall ascertain that the particular electronic pulltab system, electronic pulltab device, and associated software version are approved by the department for use in Kentucky.

(2) An organization shall not display, use, or otherwise furnish an electronic pulltab device, site system, or secondary component which has in any manner been marked, defaced, or

tampered with, or which is otherwise intended to deceive the public or affect a person's chances of winning.

(3) The use of electronic pulltab devices shall only be allowed at an authorized location, which shall be limited to the following:

(a) On or in the premises of a licensed charitable organization;

(b) In a licensed charitable gaming facility; or

(c) With prior approval of the department, at any authorized charity fundraising event conducted by a licensed charitable organization at an off-site location.

(4) All electronic pulltab games shall be sold and played at the authorized locations and shall not be linked to other authorized locations.

(5) Electronic pulltab games shall not be transferred electronically or otherwise to any other location by the licensed organization.

(6) An organization may remove from play a device that a player has not maintained in an activated mode for a specified period of time determined by the organization. The organization shall provide the notice in its house rules and shall allow the player to cash-out.

(7) Before purchasing or being provided with an electronic pulltab device, a player shall present proof that the player is at least eighteen (18) years of age. Proof shall be in the form of a picture identification card that includes the player's date of birth. If an organization uses a self-service point of sale kiosk, identification shall be presented and verified at the door.

(8) Each player shall be limited to the use of one (1) electronic pulltab device at a time.

(9) If a player's electronic pulltab device malfunctions during a game, it shall be repaired or the credits shall be transferred to another electronic pulltab device.

(10) The department shall be allowed access to examine and inspect any part of an electronic pulltab system. The department shall be granted access to all electronic pulltab devices in use by a charitable organization.

(11) The organization shall reasonably ensure that the connection to the electronic pulltab system's central computer system is operational at all times.

(12) If the organization sells electronic pulltab devices for a discounted price, or gives them away as a promotion, the site system shall be programmed to account for the discounted item and priced separately from those sold at the regular price. A generic discount key shall not be allowed.

(13) The organization shall print a Total Sales Activity Report For Electronic Pulltab Devices at the end of each gaming occasion and maintain it with the occasion records. The Total Sales Activity Report For Electronic Pulltab Devices shall be completed in the format of Form CG-EPD.

(14) A manufacturer's representative or distributor's representative may be present during a gaming occasion only to consult, demonstrate, and train the organization on the operation of the electronic pulltab system.

Section 13. Incorporation by Reference. (1) Form CG-EPD, "Total Sales Activity Report For Electronic Pulltab Devices", 8/15, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Charitable Gaming, Public Protection Cabinet, 132 Brighton Park Boulevard, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (42 Ky.R. 209; 1512; eff. 12-4-2015.)